

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 03-12-09**

Date Published: December 4, 2003

For Work Week Commencing: December 8, 2003

Commission Meeting: December 9, 2003, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Steve Vick at (406) 444-6187. He may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

**9:00 a.m. Weekly Scheduling** (Commission Conference Room)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. QWEST CORPORATION D2000.6.80 (Kate)

On October 31, 2003, Qwest submitted a proposed revision to the Qwest Performance Assurance Plan (QPAP) that modifies QPAP Attachment 1 to reflect the change in the New Service Quality performance measurement from OP-5 to OP5a. The proposed revision incorporates into the QPAP (which is Exhibit K of Qwest's Statement of Generally Available Terms & Conditions) the same OP-5a changes that the Commission recently approved for SGAT Exhibit B.

2. QWEST COMMUNICATIONS N2003.11.161 (Leroy)

On November 14, 2003 Qwest Communications filed Tariff Transmittal 03-32 to introduce Qwest Choice Home and Qwest Choice Business. Qwest Choice Home is a package of features available with an individual flat rate or additional flat rate access line. The package will be rated at \$25.99. The Qwest Choice Two-line Home Package will be rated at \$40.99. Residence Customers will be provided with Line-backer and three other services and features. Additional features will be available on an a-la-carte basis of \$3.00 or less if the a-la-cart rate is less than \$3.00.

The Qwest Choice Business package will be provided with UniSTAR Service and are entitled to choose five services and features. Additional features are available at \$4.00 or less on an a-la-carte basis the package will be rated at \$39.99. The Qwest Choice Two-Line Business package will be rated at \$59.99. Qwest is requesting an effective date of December 15, 2003. Staff recommends approval.

3. Qwest Communications N2003.11.162 (Scott)

On November 19, 2003, Qwest filed Tariff Transmittal 03-33, Advanced DSS TLA Waiver Promotion. Effective January 29, 2004, telemarketers must display Caller ID per the FCC's Do-Not-Call rules at 47CFR 64.1601(e) requiring name and number transmittal. Qwest is proposing to waive the termination liability (TLA) for advanced DSS service trunks used for telemarketing purpose when a customer chooses to migrate to another Company service that provides the required Caller ID. In addition, nonrecurring charges (NRC) for the new service will also be waived with the exception of Centrex PRIME which currently has a 50 percent reduction in NRC for the 3-year contract term and no NRC for the 5-year contract term. The proposed promotion will run from December 22, 2003 through January 29, 2004.

4. MCI Telecommunications N2003.11.163 (Scott)

On November 21, 2003, MCI filed Transmittal Letter No. 03-17. The purpose of this filing is: To introduce Deposit Promotion and MCI Business Services Satisfaction Guarantee; to introduce a usage cap for Advanced Option II for Small Business Savings Plan XII; and To add language to the service description for MCI Prism Plus, MCI Preferred, Commercial Dial-1, MCI Flat Rate, MCI Flat Rate Plus, Advanced Option I for Small Business and Advanced Option II for Small Business.

5. Sprint Communications N2003.11.164 (Scott)

On November 21, 2003, Sprint filed revisions to its Price List No.1. The purpose of this filing is to make changes to the terms and conditions for Dial-1, 800 and FONCARD Business Sense \$0 Commitment Level Non-Term Rate Plans.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. **12/8/03 9:00 a.m.** – L-03.10.5-RUL – Administrative Rulemaking Re: SB247 – Advanced Approval Minimum Filing Requirements. (12/8/03)
2. D2003.1.8 – Blackfoot Telephone Cooperative– Application for EAS. (12/9/03)
3. D2002.10.132 – Triangle Telephone Cooperative / Central Montana Communications – Application for EAS. (12/9/03)
4. D2003.1.14 – Western Wireless – Application for ETC. (12/9/03)
5. D97.7.91 – PacifiCorp – Transition Plan. (12/9/03)
6. D96.2.22 - NorthWestern Energy – Expiration of Proceeds Sale Credit. (12/9/03)
7. D2003.8.109 – MCC / PSC – NorthWestern Energy Financial Investigation. (12/9/03)
8. NorthWestern Energy Bankruptcy – Placeholder to Get Direction on Any Matter Related to the Bankruptcy. (12/9/03)
9. D2003.10.152 – Espeland Resort Properties dba Fairmont RV Park – Petition for Late Intervention. (12/9/03)
10. L-03.9.4-RUL – PSC – Rulemaking - Pipeline Safety, NESC, ANSI. (12/9/03)
11. L-03.9.3-RUL – PSC – Rulemaking on Utility Line Moving. (12/9/03)

**Other Meetings****12/9/03 1:00 p.m. – VEBA Presentation (Bollinger Room)****12/10/03 2:00 p.m. – Mooseweb Arbitration (Commission Conference Room)**

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

1. Qwest Communications N2003.12.166 (Scott)

On December 1, 2003, Qwest filed tariff transmittal 03-34, Bulk Uniform Access Solution (Bulk UAS), Basic Digital Switched Service (Basic DSS), Bulk Advanced Digital Switched Service (Bulk Advanced DSS), and Bulk Primary Rate Service (Bulk PRS) Promotion. During the proposed promotional period from January 5, 2004, through March 31, 2004, customers who install new service renew existing contracts or convert from month-to-month to contract pricing will be given a one month credit per span on a 3-year contract or a two month credit on a 5-year contract. The credit will be given on their next month's bill, after implementation of the contract.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

D2003.12.165 – Energy West – Rate Schedules and Tariffs Reflecting Adjustments for Property Tax Increases

N2003.12.166 – Qwest – Tariff Transmittal 03-34 - DSS, UAS, ISDN PRS Promotion